

**JAMUL DULZURA
COMMUNITY PLANNING GROUP
DRAFT MINUTES**

**Tuesday, August 25, 2009
(To be approved September 8, 2009)
Oak Grove Middle School Library
7:30 pm**

RECEIVED

AUG 31 2009

San Diego County
DEPT. OF PLANNING & LAND USE

1. **Call to Order** Dan Kjongegaard called the meeting to order at 7:33 p.m.
2. **Roll Call Present:** James Talbot, Dan Kjongegaard, Wythe Davis, Dan Neirinckx, Judy Bohlen, Krishna Toolsie, Earl Katzer, Frank Hewitt, Steve Wragg, Richard Wright, and Janet Mulder
Excused: Randy White,
Absent: Martin Muschinske,
Vacancy: Two seats – Linda Ivy (seat 5) and Janice Grace (seat 8)
3. **Motion to approve the Agenda for August 25, 2009 as posted 72 hours before the meeting, and the minutes for August 11, 2009 and July 28, 2009, correcting them to reflect that Earl Katzer was present and we adjourned at 8:46. Motion carried.**
4. **Open Form - Opportunity for public to speak - limit 3 minutes**
 - a. **Judy Bohlen & Frank Hewitt will not be at the Sept. 8 meeting.**
 - b. **Dan Kjongegaard received a notice of application for a substation in Jacumba and a news release that states that the new substation is built along the Sunrise and that they have signed an agreement with the Campo Indians and Inverengy to tie into the new substation in Jacumba. Given to Steve Wragg to review and report back.**
 - c. **Jim Talbot announced that Kiwanis is sponsoring a "Fun in the Sun" event for kids with games, local bands, and it is all free and all are invited to Indian Hills on Saturday, August 29.**
5. **Vacant Seats – Seat 5, expires 1-7-13 and Seat 8 expires 1-11-11. We have a total of four applications today, and will hold the application window open until next meeting, August 25. The applications have to be sent to the County for verification of voter registration. The voting will take place at the Sept. 8 meeting, and then they will be sent to County to bring to the board. The four applicants are Randy Smith, (Jamul), Yvonne Purdy-Luxton, (Dulzura), Michael Casinelli, (Jamul), and Raymond Deitchman, (Jamul) have turned in their applications. Last meeting Dan asked the ones here to introduce themselves. A question and answer period for the JDCPG members to get information about the candidates, will be held on Sept. 8 just before the vote. Randy Smith is a doctor whose family had property in Jamul since 1960. He now lives on Lyons Valley Rd. He is a former CEO and is now a writer and consultant. Yvonne Purdy-Luxton is a fourth generation resident in Dulzura. Her family has lived there since 1959. She worked for the County and now owns a small business helping people with issues from the fire. Her concern is that we have not had a representative from Dulzura and she would like to be that person giving us the rural perspective. Michael Casinelli has lived in Jamul for 10 years. He runs a consultant business for**

major businesses, and has no connection with the building industry, but has lots of concerns about land use and has been a regular member of the audience at our meetings for the last 3-4 years. **Raymond Deitchman** was not present at the last meeting and introduced himself tonight. He has been a resident for 9 years in Jamul, formerly in Chula Vista. He manages the Sharp Health Care facilities and has worked with the SDG&E sub-station sub-committee since its inception. **Dan Kjonggaard reminded us that at the next meeting they would all be introduced again and the Planning Group will have an opportunity to ask questions of the candidates and the vote will be taken at that meeting which will take place on September 8 at 7:30 at Oak Grove Middle School (Please note correction from Agenda's statement)**

6. **SDG&E Sub-Committee Report – Jim Talbot** reported that SDG&E did not show up for the meeting, nor did they notify us that they would not be here. We called **Don Parent** on his cell phone but to no avail. We are continuing to work on the letter to CPUC. We are concerned that they are not showing up for the meeting and not even calling!

7. **General Plan and Community Plan Report – Dan Neirinckx –Jamul Dulzura Subregional Plan Change Recommendations include:**

Change Policy 2, subparagraph (h), page 5, to read:

“Clustering is permitted under the following circumstances:

- (1) Within the County Water Authority boundary when groundwater is not used.
- (2) Land not included within the clustered lots is reserved for permanent open space, and an open space easement or fee title is granted to the County or a resource protection conservancy over such land.
- (3) On-site sewage disposal systems must be approved by the Health Department for immediate and long-term usage.
- (4) The proposed development will have a no more adverse effect on the groundwater environment than would an equivalent non-clustered development as would otherwise be permitted in the subject land use category.
- (5) The proposed clustered development, including the open space areas, does not exceed the overall density permitted without clustering by the County General Plan land use designation.
- (6) Proposed clustered development is compatible with the established community character.”

Change Policy 14, page 8: Add Winery to list of uses.

Change Goal 1, page 9 to read: “Develop a transportation system which provides for safe, efficient travel throughout this rural community and preserves the beauty, quality, and rural character of the Jamul/Dulzura Subregional Planning Area.”

Change Goal 2 and Goal 3, page 10, to lower case type to be consistent with remaining format.

Page 4 – Policy 2(a) – Delete the numeral 2 after semi-rural – then reads “semi-rural”

After reviewing and receiving comments, Dan moved that we accept the changes as presented

and modified tonight as written above. Motion carried unanimously with thanks to Dan and his sub-committee.

Dan Neirinckx reviewed the Draft Environmental Impact Report on the General Plan and found that it was based on the "referral map" which was the one that listed individual properties that the BOS made exceptions to and Dan sees no problem with the DEIR on them. **Ron White** whose property was affected said that no property was made at less than 10 acres in his referral. 50% of his requests were granted. **Dan Neirinckx presented the Draft San Diego County General Plan and went over the following changes:**

On page 3-17 they referred to the Indian lands as "reservations" and we would we suggest that it be listed as "reservations/Indian Villages" if they are including the Jamul Indian Village in this document.

Page 4-18, it states that State Route 94 (Campo Road), south of Melody road in the Jamul/Dulzura Subregion is proposed to remain a two-lane road. This results in inherent limitations for truck traffic using this segment of SR94. Truck traffic should be shifted to Interstates 8, 805, and 905 and SR125 after the Otay Mesa II and Calexico Ports of Entry are upgraded.

Page 4-38 – Road Segments where Adding Travel Lanes is Not Justified – included Lyons Valley Road (light collector with improvements options) from Campo Rd in Jamul to Skyline Truck Trail.

Page 5-29 - County scenic highways – includes Proctor Valley from Chula Vista to SR94, Otay Lakes Road from CV to SR94, State Route 94 from 125 to Interstate 8, Honey Springs Road SR94 to Lyons Valley Road, Lyons Valley Road from SR94 to the Cleveland National Forest, Japutal Road from Lyons Valley Rd to Interstate 8.

Page 6-2 – Within the CWA, the Land Use plan has designated more land for multi-family units, thereby increasing the number of future residential sites as well as providing a larger variety of homes. Minimum lot size restrictions have been removed from the General Plan to allow for clustering consistent with the Zoning Ordinance (and Community Plans) and to decrease land and infrastructure costs for new development.

Dan Neirinckx moved we recommend that the term "reservation" on page 3-17 under tribal lands, needs to be changed to more accurately describe Indian lands (i.e., Jamul Indian Village land) to "reservation/Indian Village land". Motion carried: 10, Yes; 1, No (Katzner); 0 abstentions.

- 8. POD 09-007 – Medical Marijuana Ordinance – Wythe Davis** – This is an Ordinance Amending the Zoning Ordinance to Prohibit Non-Medical Marijuana Dispensaries Within the Unincorporated Area of the County of San Diego. **Wythe summarized the points as:** Due to changes in state law there has been an increased interest in establishing marijuana dispensaries throughout the state. If marijuana dispensaries do not qualify as being for medical purposes they are illegal. Such illegal dispensaries threaten the safety and quality of life throughout the County. Currently the County Zoning Ordinance does not regulate these businesses. The proposed ordinance would prohibit the establishment and operation of non-medical marijuana dispensaries within the County of San Diego. The targeted dispensaries are non-medical, as these are not authorized by state law. On 5 August 2009 the Board of Supervisors adopted an urgency ordinance enacting a moratorium on the establishment of marijuana dispensaries to allow the County to study how marijuana dispensaries should be permitted and to determine the appropriate regulations for such uses. Department of Planning and Land Use recommends adopting the ordinance **Wythe recommends that we could concur with the proposed ordinance, but it was decided that it was already obvious that the illegal dispensary was already illegal and did not need an additional ordinance. No action taken.**

9. San Diego County Road Standards Update – Dan Neirinckx – There will be a meeting in September of the Planning Commission sub-committee and Dan will let us know when it needs to return to the agenda.

10. Otay Water District – Draft Program Environmental Impact Report –Richard Wright

- Introduced Lisa Coburn-Boyd and pointed out that Dan Kjonggaard and Steve Wragg also have expertise in this area. They are looking at all of their capital improvement projects that will be needed for Otay's service area, which includes Jamul. There is included a PEIR (Program Environmental Impact Report) which looks at the impacts of the total picture. This draft has been out for public review since July and closes on Sept 3. It talks of the Master Plan and looks at updating the hydrologic model for the system as a whole, evaluate existing and future potable and recyclable water systems. The impact analysis covers a wide range of topics. When **Richard** looked at the map, he noticed that the proposed tanks are located where existing ones are today. He did notice that the recycling water was not proposed to be brought into our area, but is limited to the Hillsdale area. Implementation of the 2009 would not directly create or impact growth, as they have no land use development power, even though they do impact development by agreeing to provide water to development. The State law does require that developments over a certain size need to look at water availability. The Crest-Dehesa Planning Group has made comments concerning the growth inducing impacts. **Lisa Coburn-Boyd** pointed out that the PEIR is a broad level document that allows the project specific EIRs to be more easily prepared. The plan has three phases – the first is today and the second is 2010 – 2016 and the third was 2016 to forever. She pointed out that they would like to be able to recycle water, but they are not permitted to use recycle water in some basins, i.e., Upper Sweetwater Basin. The water from our area is piped over the mountain to Chula Vista East Lake golf course area. They received significant opposition from Sweetwater Authority when they proposed recycling in our area, as Sweetwater Authority feels it could contaminate the drinking water. There is a cost to the infrastructure. **Richard** pointed out that the new laws regarding plumbing would make use of grey water easier. **Jim Talbot** pointed out that he has had many requests for the use of recycled water, and suggested that we could have a hydrant facility to get it into the hands of the farmers by trucking. **Dan Kjonggaard** pointed out that the water coming out of the Otay Recycled Water plant exceeds the federal drinking water standards. **Richard Wright** pointed out that there would be a second tank in Rancho Jamul. The Singer Recycled plant is down hill from us therefore making the use of recycled water from that area an "uphill battle". **Yvonne Purdy-Luxton** asked how long the public input could be taken and was told until Sept.3.

11. POD 08-012 – Tiered Winery Zoning – draft EIR – Frank Hewitt pointed out that the public comment period expires August 31, 2009. It is over 500 pages and Frank summarized as follows. There are three types of wineries today and this proposal would add a fourth. The wholesale limited, boutique, and wineries now exist. The new designation (**small**) would limit the sales and open to the public via an administrative permit for the small ones. They are all controlled via the State Alcohol Beverage. The report studied three options including – no project – a second option "enhanced ministerial enforcement alternative" and the third option "limited five year by right ordinance", The reason this is important to us, is there may be an enhanced capacity to establish wineries – today we have 2.5 acres devoted to commercial wineries. According

to our Community Plan Policy 9, we want to encourage agriculture in our area this would be a good idea for us. **Frank moved that we recommend the approval of option two "enhanced ministerial enforcement alternative" which is considered environmentally superior alternative because it provides an enforcement mechanism to ensure that impacts are reduced while still meeting the objectives identified for the Proposed Project. Motion carried unanimously.**

12. **POD 08-002 – Density Bonus Ordinance - Steve Wragg** – reported that the purpose of this ordinance is to make it consistent with the State law. They are trying to organize the existing laws and put them into one ordinance. You would get increased density if you have low and reduced cost housing; you get to have smaller setbacks. You would need a permit and could get one of the following: If you designate in your development 10% low income or 5% very low income, or senior housing you would get certain incentives including setbacks, increased building stories and heights, reduction in parking requirements, etc. You could get a 25-35% increase except in senior rental for low or very low and you could get the 50% reduction. The changes are available on the Internet www.sdcountry.ca.gov and go to DPLU and to density bonus. This would simplify the multiple ordinances that exist today for density increase. Our comments need to be in by September 14. **Steve recommended we send no comment on this proposed ordinance at this time.**
13. **Jamul Indian Village Casino Status Report and Recommendations** – no input received.
14. **JDCPG Officers Announcements and Reports – Dan Neirinckx announced**
 - a. **AD09-028 – Winters – 2nd Dwelling Unit** – given to Dan Kjonogaard to review and report back.
 - b. **TPM21028 RPL2 – Sunrise Investments – Skyline Truck Trail** – given to Dan Neirinckx to review and report back.
 - c. **San Diego Planning commission Z_ August 28** – nothing from our planning area.
 - d. **Dan Neirinckx pointed out that the new cell tower on the water tower**

Adjournment: Dan Kjonogaard adjourned the meeting at 9:23 p.m. reminding us that the next regular meeting is **Tuesday, September 8, 2009 at 7:30 p.m. at OAK GROVE MIDDLE SCHOOL LIBRARY**

PLEASE NOTE:

SDG&E Substation Subcommittee will meet on Tuesday, Sept. 8, 2009 at 6:30pm before the regular meeting in the Oak Grove Middle School Library – Note change in time for meeting.

Respectfully submitted,

Janet Mulder, Secretary

Hi!

Jim Talbot just contacted me and told me the minutes are incorrect. The correct date for the Kiwanis Fun in the Sun at Indian Hills Camp is SUNDAY, AUGUST 30, not Saturday as I reported. Sorry for the confusion.

Hope you can all make the Fun in the Sun on Sunday, August 30 at Indian Hills Camp!

Janet